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on to the requester. When CPU calculations are not available, only human time costs shall be assessed to requesters. Should Army Activities lease computers, the services charged by the lesser shall not be passed to the requester under the FOIA.

(c) Duplication costs.

| Type | Cost per page (cents) |
|--|---|
| Pre-printed material | .02 |
| Office Copy | .15 |
| Microfiche | .25 |
| Computer copies (tapes, discs or printouts). | Actual cost of duplicating the tape, disc or printout (includes operator's time and cost of the medium) |

(d) Review time costs (in the case of commercial requesters).

| Type | Grade | Hourly rate (\$) |
|--------------------|---------------------------|------------------|
| Clerical | E9/GS 8 and below ... | 20 |
| Professional | 01-06/GS 9-GS 15 ... | 44 |
| Executive | 07/ST/SL/SES-1 and above. | 75 |
| Contractor | | 44 |

(e) *Audiovisual documentary materials.* Search costs are computed as for any other record. Duplication cost is the actual direct cost of reproducing the material, including the wage of the person doing the work. Audiovisual materials provided to a requester need not be in reproducible format or quality. Army audiovisual materials are referred to as "visual information."

(f) *Other records.* Direct search and duplication cost for any record not described above shall be computed in the manner described for audiovisual documentary material.

(g) *Costs for special services.* Complying with requests for special services is at the discretion of the Activities. Neither the FOIA, nor its fee structure cover these kinds of services. Therefore, Activities may recover the costs of special services requested by the requester after agreement has been obtained in writing from the requester to pay for one or more of the following services:

(1) Certifying that records are true copies; and/or

(2) Sending records by special methods such as express mail, etc.

§518.21 Collection of fees and fee rates for technical data.

(a) *Fees for technical data.* Technical data, other than technical data that discloses critical technology with military or space application, if required to be released under the FOIA, shall be released after the person requesting such technical data pays all reasonable costs attributed to search, duplication and review of the records to be released. Technical data, as used in this section, means recorded information, regardless of the form or method of the recording of a scientific or technical nature (including computer software documentation). This term does not include computer software, or data incidental to contract administration, such as financial and/or management information. Army Activities shall retain the amounts received by such a release, and it shall be merged with and available for the same purpose and the same time period as the appropriation from which the costs were incurred in complying with request. All reasonable costs as used in this sense are the full costs to the Federal Government of rendering the service, or fair market value of the service, whichever is higher. Fair market value shall be determined in accordance with commercial rates in the local geographical area. In the absence of a known market value, charges shall be based on recovery of full costs to the Federal Government. The full costs shall include all direct and indirect costs to conduct the search and to duplicate the records responsive to the request. This cost is to be differentiated from the direct costs allowable for other types of information released under the FOIA. DD Form 2086-1 will be used to annotate fees for technical data. The form is available through normal publication channels.

(b) *Waiver.* Activities shall waive the payment of costs described in paragraph (a) of this section, which are greater than the costs that would be required for release of this same information if the request is made by a citizen of the United States or a United States corporation, and such citizen or corporation certifies that the technical data requested is required to enable it to submit an offer, or determine whether it is capable of submitting an offer

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to provide the product to which the technical data relates to the United States or a contractor with the United States. However, Activities may require the citizen or corporation to pay a deposit in an amount equal to not more than the cost of complying with the request, which will be refunded upon submission of an offer by the citizen or corporation;

(1) The release of technical data is requested in order to comply with the terms of an international agreement; or,

(2) The Activity determines that such a waiver is in the interest of the United States.

(c) *Fee rates—(1) Costs for a manual search of technical data.*

| Type | Grade | Hourly rate (\$) |
|----------------------|-----------------------|------------------|
| Clerical | E9/GS 8 and below ... | 13.25 |
| Minimum Charge | | 8.30 |

Notes: Professional and Executive (To be established at actual hourly rate prior to search. A minimum charge will be established at ½ hourly rates.

(2) Computer search is based on the total cost of the cpu, input-output devices, and memory capacity of the actual computer configuration. The wage for the computer operator and/or programmer determining how to conduct, and subsequently executing the search will be recorded as part of the computer search.

(d) *Duplication costs for technical data.*

| Type | Cost (\$) |
|---|-----------|
| Aerial photograph, maps, specifications, permits, charts, blueprints, and other technical engineering documents | 2.50 |
| Engineering data (microfilm). | |
| a. Aperture cards | |
| Silver duplicate negative, per card | .75 |
| When key punched and verified, per card | .85 |
| Diaz duplicate negative, per card | .65 |
| When key punched and verified, per card | .75 |
| b. 35 mm roll film, per frame | .50 |
| c. 16 mm roll film, per frame | .45 |
| d. Paper prints (engineering drawings), each | 1.50 |
| e. Paper reprints of microfilm indices, each | .10 |

(e) *Review time costs of technical data.*

| Type | Grade | Hourly rate (\$) |
|----------------|-------------------------|------------------|
| Clerical | E9/GS 8 and below | 13.25 |

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| Type | Grade | Hourly rate (\$) |
|----------------------|-------|------------------|
| Minimum Charge | | 8.30 |

Notes: Professional and Executive (To be established at actual hourly rate prior to search. A minimum charge will be established at ½ hourly rates.

(f) *Other technical data records.* Charges for any additional services not specifically consistent with Volume 11A of DoD 7000.14-R, shall be made by Activities at the following rates:

| Type | Cost (\$) |
|---|-----------|
| 1. Minimum charge for office copy (up to six images) | 3.50 |
| 2. Each additional image | .10 |
| 3. Each typewritten page | 3.50 |
| 4. Certification and validation with seal, each | 5.20 |
| 5. Hand-drawn plots and sketches, each hour or fraction thereof | 12.00 |

Subpart G—Reports

§ 518.22 Reports control.

(a) *General.* (1) The Annual FOIA Report is mandated by the statute and reported on a fiscal year basis. Due to the magnitude of the requested statistics and the need to ensure accuracy of reporting, Army Activities shall track this data as requests are processed. This will also facilitate a quick and accurate compilation of statistics. Army Activities shall forward their report to DA, FOIA/PA Office, no later than October 15 following the fiscal year's close. It may be submitted electronically and via hard copy accompanied by a computer diskette. In turn, DA and DoD will produce a consolidated report for a submission to the Attorney General and ensure that a copy of the consolidated report is placed on the Internet for public access.

(2) Existing Army standards and registered data elements are to be utilized to the greatest extent possible in accordance with the provisions of DoD 8320.1-M, "Data Administration Procedures."

(3) The reporting requirement outlined is assigned Report Control Symbol DD-DA&M(A)1365, FOIA Report to Congress.

(b) *Reporting time.* Each DA IDA shall prepare statistics and accumulate paperwork for the preceding fiscal year